

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

JOHNNIE M. DuBOSE,

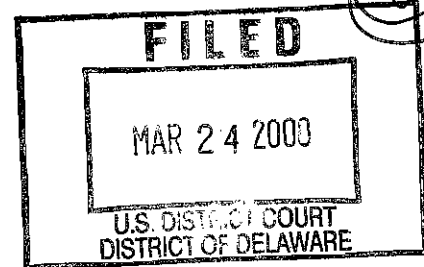
Plaintiff,

v.

MICHAEL WALSH, IN HIS OFFICAL
CAPACITY AS NEW CASTLE COUNTY
AMERICAN BUSINESS CREDIT (ABC)
SHERIFF ROBERT K. BESTE, JR. ESQ.
MAGGIE CLAUSELL ESQ.,

Defendants.

CIVIL ACTION NO.07-45SLR



Answering: Response of Defendants to Motion for Default Judgment of Plaintiff

Come Now, Plaintiff Johnnie M. Dubose Pro Se' and respectfully answers response(s) of Defendants opposition to motion for default judgment.

1. John T. Carroll and George L. Miller have not officially entered their appearance, in this matter, on behalf of American Business Credit, Inc. (ABC). ABC, Inc has failed to answer plaintiff's complaint and summons or to other wise plead, defend, respond, and it's now in default. Plaintiff is entitled to the relief he has prayed for and is entitled to by law.
2. ABC Chapter 7 Trustee, caused John Carroll, III to filed (as docket #38) notice of bankruptcy and automatic stay of 11 U.S.C. Section 362 that was converted to Chapter 7; said conversion terminated the automatic stay of 11 U.S.C. 362 'automatic stay is not permanent in character, its durational scope provides for

termination of stay when property ceases to be part of estate (i.e. sale exemption or abandonment) or earliest time of case completion, dismissal, discharge or grant of denial. O'Neil V. Washington (1983) 188 N.J. Super 565 451 A 2d 1255 affd (1984) 193 N.J. Super 481, 475 A 2d."

3. "Automatic stay remains in place until case is closed, dismissed or converted to another Chapter." Automatic stay is terminated by operation of law under 11 U.S.C. Section 362 (c) where trustee's right to protection of stay as to debtor's real property terminated when debtor exempted property pursuant to 11 USCS Section 522 (b).
4. Defendants filing of a motion to dismiss under FRCP (7) motions and other papers, a written notice of the time and date of the hearing are required.
Defendant's motion to dismiss should be "stricken" as non-conforming document.
5. Wherefore, it is respectfully requested that plaintiff's motion for default judgment be granted and the relief requested be awarded.

Date March 24 2008



Johnnie DuBose Pro Se
4 Teakwood Lane
Wilmington, DE 198010
302 (656-6838)

Certificate of Service

I, Johnnie M. DuBose Pro Se, do hereby certify, that on this _____ day of March _____, 2008, two true and correct copies of the "Answer: Response of Defendants to Motion for Reconsideration: Motion for Default Judgment, 'by first class mail to the following:

American Business Credit, Inc.
c/o Wilmington Trust SP Services (Delaware) Inc.
103 Springer Building 3411 Silverside Road
Wilmington, DE 19810

And

c/o George L. Miller, Chapter 7 Trustee
Miller Coffery Tate LLP
8 Penn Center, Suite 980
Philadelphia, PA. 19103

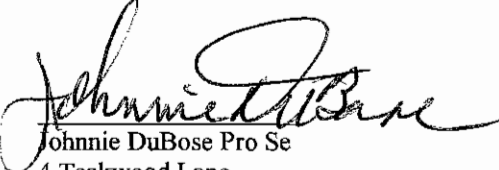
Michael Walsh, Sheriff New Castle, County
c/o Donald L. Gouge, Jr.
Heiman, Gouge & Kaufman LLP
800 King Street, Suite 303
P.O. Box 1674
Wilmington, DE 19899

Michelle Allen
New Castle County, Law Department
New Castle Corporate Commons
87 Reads Way
New Castle, DE 19720

Robert K. Beste, Jr
Cohen Seglias Pallas Greenhill & Furman P.C
Nemours Building, Suite 1130
1007 Orange Street
Wilmington, DE 19801

Maggie Clausell
c/o Paul L. Cottrell
Tighe & Cottrell, P.A.
704 King Street, Box 1031
1 Customs House
Wilmington, DE 19899

Date March 24, 2008


Johnnie DuBose Pro Se
4 Teakwood Lane
Wilmington, DE 19810